
Public Notice

Applicant: Northeast Ohio Regional
Sewer District
Date: Published:
Expires:

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-CO-R RE:** 97-473-0030(2) **Section:** OH 10 and 404

Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).

Mr. Anthony Blanc, on behalf of the Northeast Ohio Regional Sewer District, 3826 Euclid Avenue, Cleveland, Ohio 44115, has requested a Department of the Army Permit to upgrade its effluent discharge system in Lake Erie. The project is located in Lake Erie off of 5800 Cleveland Memorial Shoreway, in the City of Cleveland, Cuyahoga County, Ohio.

Department of the Army authorization is required to place fill in 0.15 acre of Lake Erie, install a new sewer outfall pipe and associated dredging, the temporary placement of 300 feet of sheet piling, and the dismantling and reassembly of an existing breakwater.

The project consists of the following:

- a. The construction of a new dropbox, outfall conduit, and sheet pile wall adjacent to the existing facility (sheets 3 and 4 of 18). Approximately 0.15 acre of Lake Erie will be filled for this portion of the project. In addition, 1,160 cubic yards of sediment will be dredged from this area prior to filling in order to place the dropbox into position. The area will then be backfilled and contained by a new sheet pile wall 154 feet long and 59 feet deep.
- b. The first section of the new outfall will be installed along approximately 650 linear feet of lake bottom between the new sheet pile wall and the breakwater (sheets 5-7 of 18). This will be accomplished by dredging a 14-foot deep trench, lining 300 feet of this trench with steel sheet piling, installing the outfall, and backfilling with a portion of the dredged material. The first 6 feet of dredged material (approximately 2,400 cubic yards) will be disposed of at the Confined Disposal Facility in Cleveland Harbor. The sheet pile lining is meant to protect the existing outfall and wooden crib breakwater as well as to contain the contaminated upper sediments during dredging. This sheeting will extend above the lake surface during work, but will be cut just below the level of the lake bottom after construction.
- c. The new outfall will cross underneath the existing breakwater approximately 50 feet west of the existing outfall. This will be

accomplished by disassembling a 184-foot section of the breakwater, installing the outfall, and then reconstructing the breakwater according to its original design (sheets 8 and 9 of 18). Prior to working on this section, temporary sheet piling cells will be installed on the lake side of the breakwater to protect the work area from wave damage. During construction, the large armor stones will be stored on the lake bottom and reused for the reconstruction of the breakwater. All other materials will be provided new.

d. The remaining portion of the new outfall (approximately 3,950 feet) will be installed by dredging a trench along the lake bottom (sheets 10-16 of 18). The dredged material will be stored on the lake bottom during construction. Approximately 10,000 cubic yards of this material will be used as backfill while the remaining 40,000 cubic yards will be recontoured along the lake bottom. Recontouring will also be done with the remaining materials from the work south of the breakwater. Sediment testing was conducted in the spring of 1997 along the proposed route of the outfall (see sheets 17 and 18 of 18). Based on the results of this testing, the top six feet of sediment from the section south of the breakwater will be disposed of at the Cleveland Confined Disposal Facility instead of being sidecast.

The applicant's stated purpose for this project is to provide sufficient capacity for the currently permitted discharge volume. The proposed outfall will allow the Northeast Ohio Regional Sewer District to continue to meet the required water quality limits for Lake Erie.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Martin P. Wargo, who can be contacted by calling (716) 879-4116, or by e-mail at: martin.p.wargo@usace.army.mil

There is one (1) registered historic property (Pennsylvania Railway Ore Dock) that is located approximately 300 meters east of the proposed sewer line outfall project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Martin P. Wargo, or by e-mail at: martin.p.wargo@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for

this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.